

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GRIZZLY AUTO TRANSPORT; CAUDILL & SON
TRUCKING; JOHN CECCARELLI; JEFF'S 3
CARGO, INC.; PATRICK DAVIS; RONALD
DAVIS; JAMES HOLLAND; DIZS, INC.; RUSSELL
HOY; MARK MARTINOVICH; TIM
JAGODZINSKI; VALKYRIE EXPRESS, INC.;
DENNIS LEVENE; LIGHTNING
TRANSPORTATION; M&J TRUCKING; MARK
OLSWAY; JOE PALETTA; 4 CHAINS
TRANSPORT I, INC.; TIMOTHY SMITH; and
DAVID WILLIAMSON, CHRIS PETERSON,

Case No. 2:08-cv-11832-SFC-MJH
Hon. Sean F. Cox
Magistrate Judge Hluchaniuk

Plaintiffs/Counter-Defendants,

vs.

TRAN TECH, INC.,

Defendant/Counter-Plaintiff.

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**ORDER DISMISSING PLAINTIFF JAGODZINSKI'S COMPLAINT, WITH
PREJUDICE, AND ENTERING DEFAULT**

At a session of said Court held in the U.S. District Court,
Eastern District of Michigan, City of Detroit, State of
Michigan on October 20, 2009

Present: Sean F. Cox
U. S. DISTRICT COURT JUDGE

This matter having come before this Court pursuant to Defendant/Counter-Plaintiff Tran Tech's ("Tran Tech") Motion to Dismiss Plaintiff Jagodzinski's Claims and For Entry of Default Against Plaintiff Jagodzinski for Failure to Comply with the Court's Order, and the Court being otherwise fully advised in the premises;

IT IS HEREBY ORDERED that Defendant's motion is GRANTED;

IT IS FURTHER ORDERED that Plaintiff Jagodzinski's complaint against Tran Tech is DISMISSED, WITH PREJUDICE and DEFAULT is entered against Plaintiff Jagodzinski, with respect to Tran Tech's Counterclaims against him;

IT IS FINALLY ORDERED that Defendant is allowed to prove its claims against Jagodzinski without testimony or evidence from Jagodzinski.

IT IS SO ORDERED.

Dated: October 20, 2009

s/ Sean F. Cox

Sean F. Cox

U. S. District Judge

I hereby certify that a copy of the foregoing document was served upon counsel and/or the parties of record by electronic and/or First Class Mail on October 20, 2009.

Dated: October 20, 2009

s/ Jennifer Hernandez

Case Manager